IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA PITTSBURGH DIVISION

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§ Civil Action No. 2:16-cv-01674-NBF
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AMENDED FINAL JUDGMENT AND ORDER APPROVING SUPPLEMENTAL FLSA SETTLEMENT AND DISMISSING ACTION WITH PREJUDICE

AND NOW, this 27 day of <u>Cztoles</u>, 2017, upon consideration of the Parties' Agreed Motion to Re-Open Case and for Approval of the Supplemental Collective Action Settlement Agreement Addendum ("Motion") (Doc. 53) and all other papers and proceedings herein, including, *inter alia*, the "Collective Action Settlement Agreement" ("Agreement") (Doc. 48-1) and the "Addendum to Collective Action Settlement Agreement" ("Addendum") (Doc. 53-1), it is hereby **ORDERED** that:

- 1. The Addendum is APPROVED as a fair, equitable, and reasonable resolution of a bona fide dispute on the claims and FLSA provisions at issue in this contested litigation, and is incorporated herein by this reference and made a part hereof as though set forth in full.
- The formula for allocation of settlement payments set forth in the Addendum is APPROVED as a fair, equitable, and reasonable measure for distributing the settlement payment to the Added FLSA Class Members.

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3. As fully set forth in the Agreement and Addendum, all individuals who have filed

consents to join this action as parties plaintiff prior to the date of entry of this Order and all who

will file consents to join this action within 125 days of settlement check issuance are hereby

deemed to fully and unconditionally waive and release any and all released claims as set forth in

the Agreement against any and all Released Parties (as that term is defined in the Agreement and

Addendum).

4. The attorneys' fees and the settlement administration expense set forth in the

Addendum are APPROVED, and Defendant is hereby ORDERED to pay in accordance with and

subject to the terms of the Addendum.

Accordingly, this Court enters an amended JUDGMENT in accordance with this Order and

in accordance with the terms of the Addendum. This case is DISMISSED WITH PREJUDICE,

with all costs borne in accordance with the Agreement and Addendum, and the Court retaining

continuing jurisdiction as set forth therein.

Date: October 27, 2017

HON NORA BARRY FISCHER United States District Court

Western District of Pennsylvania